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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10 Plaintiff,
11 v.
12 Donald Day, Jr.,
13 Defendant.

No. CR-23-08132-PCT-JJT

**ORDER GRANTING MOTION TO
CONTINUE TRIAL AND PRETRIAL
MOTIONS**

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15 On the Court's own Motion,

16 **IT IS ORDERED** continuing the Jury Trial and Pretrial Motions Deadline.

17 This Court specifically finds that the ends of justice served by granting a
18 continuance outweigh the best interests of the public and the defendant in a speedy trial.
19 This finding is based upon the Court's conclusion that the failure to grant such a
20 continuance would deny Defendant the reasonable time necessary for effective preparation,
21 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

22 **IT IS FURTHER ORDERED** continuing the trial from February 6, 2024 to **April**
23 **2, 2024 at 9:00 a.m.**

24 **IT IS FURTHER ORDERED** continuing the pretrial motions deadline until
25 **March 4, 2024.**


26 **IT IS FURTHER ORDERED** vacating the Status Conference set for January 22,
27 2024.
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IT IS FURTHER ORDERED that if any subpoenas were previously issued and served in this matter, that they remain in effect and are answerable at the new trial date and the party who served the subpoena should advise the witnesses of the trial date.

IT IS FURTHER ORDERED that excludable delay under Title 18 U.S.C. §3161(h)(7)(A) and (B) will commence from February 7, 2024 to April 2, 2024.

IT IS FURTHER ORDERED that the parties shall keep the Court apprised of the possibility of settlement and should settlement be reached, the parties shall notify the Court.

Dated this 17th day of January, 2024.


Honorable John J. Tuchi
United States District Judge